# MCNAIR LAW FIRM, P.A.

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October 22, 2008

Mr. Charles L. A. Terreni Chief Clerk and Administrator South Carolina Public Service Commission Synergy Business Park, The Saluda Building 101 Executive Center Drive Columbia, South Carolina 29210

> **Application of Time Warner Cable Information Services** (South Carolina), LLC, d/b/a Time Warner Cable to Amend its Certificate of Public Convenience and Necessity to Provide Telephone Services in the Service Area of Farmers Telephone Cooperative, Inc.; Fort Mill Telephone Company, d/b/a Comporium Communications; Home Telephone Company, Inc.: PBT Telecom, Inc.; Rock Hill Telephone Company, d/b/a Comporium Communications; and St. Stephen Telephone Company, and for Alternative Regulation Docket Nos. 2008-325-C; 2008-326-C; 2008-327-C; 2008-328-C; 2008-329-C; and 2008-330-C

Dear Mr. Terreni:

Enclosed for filing on behalf of the above-named telephone companies, please find a Motion to Consolidate in the above- referenced dockets. By copy of this letter and certificate of service, a copy of this Motion is being served on all parties of record.

Thank you for your assistance.

Very truly yours,

Mayautlle. Fox

MMF/rwm Enclosure

cc: Parties of Record

(Caption of Ca App. of Time Amend its Ce Necessity to P Service Area	Warner Cable Infortificate of Public ( rovide Telephone (	ormation Services to Convenience and Services in the hone Company, d/b/a	) BEFORE THE ) PUBLIC SERVICE COMMISSION ) OF SOUTH CAROLINA ) ) COVER SHEET ) ) DOCKET ) NUMBER: 2008 - 329 - C		
(Please type or print			_		
Submitted by:				SC Bar Number: 65418	
Address:	McNair Law Fire	m, P. A.	Telephone:	803-799-980	
	P. O. Box 11390 Columbia, SC 29		Fax: Other:	803-753-321	
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Other:	elief demanded in p	OOCKETING INFO			y) u's Agenda expeditiously
INDUSTRY (C	heck one)	NAT	URE OF ACTION	(Check all tha	t apply)
☐ Electric		☐ Affidavit	Letter		Request
Electric/Gas		Agreement	Memorandum	1	Request for Certification
Electric/Telecor	nmunications	Answer	Motion		Request for Investigation
Electric/Water		Appellate Review	☐ Objection		Resale Agreement
☐ Electric/Water/T	Telecom.	Application	Petition		Resale Amendment
Electric/Water/S	Sewer	Brief	Petition for R	econsideration	Reservation Letter
Gas		Certificate	Petition for R	ulemaking	Response
Railroad		Comments	Petition for Rul	e to Show Cause	Response to Discovery
Sewer		Complaint	Petition to Int	ervene	Return to Petition
Telecommunicat	tions	Consent Order	Petition to Inter	vene Out of Time	Stipulation
☐ Transportation		Discovery	Prefiled Testin	mony	☐ Subpoena
Water		Exhibit	Promotion		☐ Tariff
Water/Sewer		Expedited Consideration	n Proposed Ord	er	Other:
Administrative Matter		Interconnection Agreemen	nt Protest	•	
Other:		Interconnection Amendme	ent Publisher's Af	fidavit	
		Late-Filed Exhibit	Report		

#### **BEFORE**

#### THE PUBLIC SERVICE COMMISSION OF

## SOUTH CAROLINA

Docket Nos. 2008-325-C, 2008-326-C, 2008-327-C, 2008-328-C, 2008-329-C, and 2008-330-C

IN RE:	Application of Time Warner Cable Information Services (South Carolina), LLC, d/b/a Time Warner Cable to Amend its Certificate of Public Convenience and Necessity to Provide Telephone Services in the Service Area of Farmers Telephone Cooperative, Inc. and for Alternative Regulation (Docket No. 2008-325-C)	
IN RE:	Application of Time Warner Cable Information Services (South Carolina), LLC, d/b/a Time Warner Cable to Amend its Certificate of Public Convenience and Necessity to Provide Telephone Services in the Service Area of Fort Mill Telephone Company, d/b/a Comporium Communications, and for Alternative Regulation (Docket No. 2008-326-C)	
IN RE:	Application of Time Warner Cable Information Services (South Carolina), LLC, d/b/a Time Warner Cable to Amend its Certificate of Public Convenience and Necessity to Provide Telephone Services in the Service Area of Home Telephone Company, Inc., and for Alternative Regulation (Docket No. 2008-327-C)	))))))))))

IN RE:	Application of Time Warner Cable Information Services (South Carolina), LLC, d/b/a Time Warner Cable to Amend its Certificate of Public Convenience and Necessity to Provide Telephone Services in the Service Area of PBT Telecom, Inc. and for Alternative Regulation (Docket No. 2008-328-C)
IN RE:	Application of Time Warner Cable Information Services (South Carolina), LLC, d/b/a Time Warner Cable to Amend its Certificate of Public Convenience and Necessity to Provide Telephone Services in the Service Area of Rock Hill Telephone Company, d/b/a Comporium Communications, and for Alternative Regulation (Docket No. 2008-329-C)
IN RE:	Application of Time Warner Cable Information Services (South Carolina), LLC, d/b/a Time Warner Cable to Amend its Certificate of Public Convenience and Necessity to Provide Telephone Services in the Service Area of St. Stephen Telephone Company, Inc. and for Alternative Regulation (Docket No. 2008-330-C)

## MOTION TO CONSOLIDATE

Farmers Telephone Cooperative, Inc., Fort Mill Telephone Company, d/b/a Comporium Communications, Home Telephone Company, Inc., PBT Telecom, Inc., Rock Hill Telephone Company, d/b/a Comporium Communications, and St. Stephen Telephone Company, Inc. (collectively, the rural local exchange companies or "RLECs"), hereby respectfully request, that the Public Service Commission of South Carolina ("Commission")

consolidate the above-referenced proceedings. This request is made pursuant to Commission Rule 103-840, for the reasons stated below.

- 1. On August 22, 2008, Time Warner Cable Information Services (South Carolina), LLC ("TWCIS") filed applications in each of the above-referenced matters. Each of the RLECs intervened in the proceeding dealing with its individual service area.
- 2. The respective applications in the six proceedings are in all material respects identical. The proceedings involve similar questions of law and fact and, therefore, consolidation is appropriate under Commission Rule 103-840.
- 3. It is in the interest of efficiency and economy of the Commission's and the parties' resources to consolidate the proceedings, and consolidation will help the parties and the Commission to avoid unnecessary costs or delays.
- 4. Consolidation of the proceedings for hearing will not prejudice the rights of the parties or of the public and will, in fact, serve the public interest by promoting administrative efficiency and economy.
- 5. The six proceedings are currently scheduled consecutively over a 3-day period beginning at 10:30 a.m. on January 5, 2009. The Applicant's testimony is due on November 24, 2008 in Docket Nos. 2008-325-C and 2008-326-C, on November 25, 2008 in Docket Nos. 2008-327-C and 2008-328-C, and on November 26, 2008 in Docket Nos. 2008-329-C and 2008-330-C. All other parties' testimony, rebuttal, and surrebuttal testimony likewise are scheduled over 3-day periods, depending upon the hearing date. RLECs propose that the earliest of the dates be used for hearing and prefiling of testimony in the consolidated proceeding. In other words, the consolidated hearing would begin at

10:30 a.m. on January 5, 2009; Applicant's testimony would be due on November 24, 2008; all other parties' testimony would be due on December 8, 2008; rebuttal testimony would be due on December 15, 2008; and surrebuttal testimony would be due on December 22, 2008.

WHEREFORE, the RLECs respectfully request that the Commission grant this motion to consolidate the above-captioned proceedings, on the grounds that the proceedings involve similar questions of law or fact, and that consolidation is in the interest of administrative efficiency and economy; approve the hearing and prefiled testimony schedule as proposed herein; and grant such other and further relief as is just and proper.

Respectfully submitted,

M. John Bowen, Jr.

Margaret M. Fox

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Attorneys for the RLECS

Columbia, South Carolina

October 22, 2008

# BEFORE

## THE PUBLIC SERVICE COMMISSION OF

## SOUTH CAROLINA

Docket Nos. 2008-325-C, 2008-326-C, 2008-327-C, 2008-328-C, 2008-329-C, and 2008-330-C

IN RE:	Application of Time Warner Cable Information Services (South Carolina), LLC, d/b/a Time Warner Cable to Amend its Certificate of Public Convenience and Necessity to Provide Telephone Services in the Service Area of Farmers Telephone Cooperative, Inc. and for Alternative Regulation (Docket No. 2008-325-C)	
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IN RE:	Application of Time Warner Cable Information Services (South Carolina), LLC, d/b/a Time Warner Cable to Amend its Certificate of Public Convenience and Necessity to Provide Telephone Services in the Service Area of PBT Telecom, Inc. and for Alternative Regulation (Docket No. 2008-328-C)	1
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#### **CERTIFICATE OF SERVICE**

This is to certify that I, ElizaBeth A. Blitch, a paralegal with McNair Law Firm, P. A., have this date served one (1) copy of the Motion to Consolidate in the above-referenced matters to the persons named below by causing said copy to be deposited with the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown on page 3 of this Certificate of Service:

Nanette S. Edwards, Esquire Jeffrey M. Nelson, Esquire Office of Regulatory Staff Post Office Box 11263 Columbia, South Carolina 29211

C. Bradley Hutto, Esquire Williams & Williams Post Office Box 1084 Orangeburg, South Carolina 29115 Frank Ellerbe, III, Esquire Bonnie D. Shealy, Esquire Robinson, McFadden & Moore, P. C. Post Office Box 944 Columbia, South Carolina 29202

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October 22, 2008

Columbia, South Carolina